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HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: **HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &**
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

Miscellaneous Appeal (C) No. 817 of 2007

Appellant/ Claimant : Bajrang Shukla, S/o. Loknath Shukla, aged about 22 years, R/o. Masanganj, Sarju Bagicha, Tahsil Bilaspur, District Bilaspur (C.G.)

VERSUS

Respondents: Non-applicants

1. Abhishek Sharma, S/o. Shri K.N. Sharma aged about 20 years, R/o. Bangalipara, Gali No.4, Sarkanda, Bilaspur, District Bilaspur (C.G.) (Driver)

2. Divisional Manager, The Oriental Insurance Company Limited, Divisional Office-In front of High Court of Chhattisgarh, Bilaspur, District Bilaspur (C.G.) (Insurer)

Miscellaneous Appeal under Section 173 of the Motor Vehicle Act, 1988 for enhancement of the compensation amount

Present : Shri Anand Kumar Tiwari, counsel for the appellant.

ORAL ORDER
(Passed on 20th July, 2007)

The following oral order of the Court was passed by **Hon'ble Dilip Raosaheb Deshmukh, J.**

Heard.

The only ground urged by learned counsel for the appellant in this appeal for enhancement of compensation is that in an injury case where the claimant had suffered mild disability of 40% in the right eye, the Tribunal has awarded compensation of Rs.1,25,000/-. Learned counsel for the appellant has contended that the compensation awarded by the learned Tribunal is too low. However, upon perusal of the impugned award, we find that Dr. Ela Chandel had clearly opined before the MACT that the injury suffered by the

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claimant in the right eye was not permanent disability, but only a mild disability. The Tribunal has awarded compensation as under :-

a.	Towards Medical expenses	:	73,300/-
b.	Towards pain and sufferings	:	5,000/-
c.	Towards special diet	:	2,000/-
d.	Towards conveyance and other expenses during treatment	:	4,700/-
e.	Towards mild disability suffered	:	40,000/-
			1,25,000/-

We are of the considered opinion that the compensation awarded by learned Tribunal is just and reasonable compensation and does not call for any interference in this appeal. Accordingly, the appeal is dismissed at the stage of admission itself.

Sd/-
Ag Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Sabbu